

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KITCHEN WINNERS NY INC.,

Plaintiff,

-v-

ROCK FINTEK LLC,

Defendant.

22 Civ. 5276 (PAE)

ORDER

ROCK FINTEK LLC,

Third-Party Plaintiff and
Counterclaimant,

-v-

KITCHEN WINNERS NY INC.,

Counterclaim Defendant,

JNS CAPITAL HOLDINGS LLC, JOEL STERN,
HERSHEY WEINER, JOSEPH MENDLOWITZ,
ADORAMA, INC.,

Third-Party Defendants.

PAUL A. ENGELMAYER, District Judge:

The Court having been advised by the parties that they have reached a settlement in principle in this matter, it is ORDERED that all court dates, including the trial scheduled to begin on March 10, 2025, is hereby adjourned, and the above-entitled action is hereby dismissed and discontinued without costs, without prejudice to each party's right to reopen the action within 30 days of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen must be filed within 30 days of this Order; any application to reopen filed thereafter will be dismissed with prejudice. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same 30-day period to be “so ordered” by the Court. Per Paragraph 4(C) of the Court’s Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

The Clerk of Court is respectfully directed to terminate all deadlines and to close this case.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: March 3, 2025

New York, New York